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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/676,572

09/30/2003

Stuart D. Cheshire

APL-P3153

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EXAMINER

HAMZA, FARUK

ART UNIT

PAPER NUMBER

2155

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DELIVERY MODE

06/06/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/676,572	<b>Applicant(s)</b> CHESHIRE, STUART D.	
	<b>Examiner</b> FARUK HAMZA	<b>Art Unit</b> 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,11-17 and 19-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,11-17 and 19-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is responsive to the communication filed on April 09, 2008. Claims 1, 4, 9, 12, 17 and 20 have been amended. Claims 2, 10, 18 and 25-34 have been canceled. Claims 1, 3-9, 11-17 and 19-24 are pending.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the newly added limitation "validating any child resource record" "issuing query for the child resource record...invalidating the child resource record at the client" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must

be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 4, 9, 12, 17 and 20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant's specification failed to provide enough description for the newly added limitation (invalidating a child resource record involves: issuing query for the child resource record, waiting for a response and if the response to the query is not received in a pre-determined amount of time, invalidating the child resource record at the client) so that an ordinary skill in the art can comprehend the subject matter.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3-9,11-17 and 19-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Traversat et al. (U.S. Pub. No. 2002/0184357) hereinafter referred as Traversat.

Traversat teaches the invention as claimed including a system and method for providing rendezvous nodes in a peer-to-peer networking environment. Rendezvous nodes preferably cache information about network resources that may be useful to peer nodes on a peer-to-peer network (abstract).

As to claim 1, Traversat teaches a method for validating a resource record in a local cache at a client computer system within a network, comprising:

retrieving the resource record from the local cache at the client (abstract, P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]);

issuing one or more queries for the resource record (abstract, P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]);

waiting for a response to the query (abstract, P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]); and

if the response to the query is not received in a pre-determined amount of time, invalidating the resource record at the client, wherein invalidating the resource record involves deleting the resource record further comprises validating any child resource record of the resource record (abstract, P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319], traversat's discloses invalidating query messages which includes child query as well).

As to claim 3, Yokoyama teaches the method of claim 1, further comprising:

receiving a multicast message from a second client querying a second device (P[0295-0295],P[0300-0303],P[0315-0319]);

locating a second resource record associated with the second device (P[0295-0295],P[0300-0303],P[0315-0319]);

waiting for a multicast response to the multicast query (P[0295-0295],P[0300-0303],P[0315-0319]); and

if after a pre-determined number of queries the multicast response to the multicast query is not received in the pre-determined amount of time, invalidating the second resource record (P[0295-0295],P[0300-0303],P[0315-0319]).

As to claim 4, Yokoyama teaches the method of claim 1, wherein invalidating the resource record further comprises invalidating a child record of the resource record (P[0295-0295],P[0300-0303],P[0315-0319]).

As to claim 5, Yokoyama teaches the method of claim 1, wherein if the response to the query is not received in a pre-determined amount of time, the method further comprises:

retrieving a parent record of the resource record at the client, wherein the parent record refers to the resource record (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]);

issuing a query for the parent record (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]);

waiting for a response to the query from the device (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]); and

if the response to the query is not received in a pre-determined amount of time, invalidating the parent record, and then repeating the above process by applying it recursively to any records that refer to the now-invalidated parent record (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]).

As to claim 6, Yokoyama teaches the method of claim 1, wherein if the response to the query is not received in a pre-determined amount of time, the method further comprises:

retrieving a parent record of the resource record at the client, wherein the parent record refers to the resource record (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]);

issuing a query for the parent record (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]);

receiving a response to the query from the device, wherein the response includes information for updating the resource record (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]); and

updating the resource record with the information received in the response (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]).

As to claim 7, Yokoyama teaches the method of claim 6, wherein the method further comprises updating the parent record with the information received in the response (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]).

As to claim 8, Yokoyama teaches the method of claim 1, wherein the method is invoked at a pre-specified time interval (P[0027-0028],P[0295-0295],P[0300-0303],P[0315-0319]).

Claims 9, 11-17 and 19-24 do not teach or define any new limitations other than above claims 1 and 3-8. Therefore, claims 9, 11-17 and 19-24 are rejected for similar reasons.

5. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its



entirety as potentially teaching of all or part of the claimed invention, as well as the context.

### ***Response to Arguments***

6. Applicant's arguments have been fully considered but they are not persuasive.

In the remarks applicant argues in substance that; A) Traverset does not teach invalidating the resource record if a response is not received to the query in a predetermined time.

In response to A) The applicant is reminded that claim limitation must be given their reasonable broadest interpretation. Traversat teaches delete or invalidate cached resource advertisement if time-to-live or TTL expires (See P [0029, 0317, claim 14). The examiner is broadly interpreting TTL to be predetermined time. Therefore, teaching of Traversat meets the claimed imitation.

B) Traversat does no teach subsequently validating child resource records of invalidated resource records.

In response to B) Applicant is argument is inconsistent with the claim. This/These limitation(s) are not found in the claims. Claimed subject matter not the specification is the measure of the invention. Disclosure contained in the specification cannot be read into the claims for the purpose of avoiding prior art. In re Sporck, 55 CCPA 743, 386 F .2d 924, 155 USPQ 687 (1986); In re Self, 213 USPQ 1,5 (CCPA 1982); In re Priest, 199 USPQ 11, 15 (CCPA 1978).

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll –free).

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